

- (e) Penalties and administrative actions.
- (f) Definitions.
- (g) Limitation on protests.
- (h) Savings provisions.
- 424. Repealed.
- 425. Contract clauses and certifications.
  - (a) Nonstandard contract clauses.
  - (b) Construction of certification requirements.
  - (c) Prohibition on certification requirements.
- 426. Use of electronic commerce in Federal procurement.
  - (a) In general.
  - (b) Applicable standards.
  - (c) Agency procedures.
  - (d) Implementation.
  - (e) Report.
  - (f) “Electronic commerce” defined.
- 426a. Repealed.
- 427. Simplified acquisition procedures.
  - (a) Requirement.
  - (b) Prohibition on dividing purchases.
  - (c) Promotion of competition required.
  - (d) Consideration of offers timely received.
  - (e) Interim reporting rule.
  - (f) Special rules for commercial items.
- 428. Procedures applicable to purchases below micro-purchase threshold.
  - (a) Requirements.
  - (b) Exclusion for micro-purchases.
  - (c) Purchases without competitive quotations.
  - (d) Equitable distribution.
  - (e) Implementation through FAR.
  - (f) Micro-purchase threshold defined.
- 428a. Special emergency procurement authority.
  - (a) Applicability.
  - (b) Increased thresholds.
  - (c) Increased limitation on use of simplified acquisition procedures.
  - (d) Commercial items authority.
  - (e) Contingency operation defined.
- 429. List of laws inapplicable to contracts not greater than simplified acquisition threshold in Federal Acquisition Regulation.
  - (a) List of inapplicable provisions of law.
  - (b) Covered law.
  - (c) Petition.
- 430. List of laws inapplicable to procurements of commercial items in Federal Acquisition Regulation.
  - (a) List of inapplicable provisions of law.
  - (b) Subcontracts.
  - (c) Covered law.
  - (d) Petition.
- 431. Commercially available off-the-shelf item acquisitions: lists of inapplicable laws in Federal Acquisition Regulation.
  - (a) Lists of inapplicable provisions of law.
  - (b) Covered law.
  - (c) “Commercially available off-the-shelf item” defined.
- 431a. Inflation adjustment of acquisition-related dollar thresholds.
  - (a) Requirement for periodic adjustment.
  - (b) Adjustments effective upon publication.
  - (c) Acquisition-related dollar thresholds.
  - (d) Excluded thresholds.
  - (e) Calculation of adjustments.
  - (f) Petition for inclusion of omitted threshold.
- 432. Value engineering.
  - (a) In general.
  - (b) “Value engineering” defined.
- 433. Acquisition workforce.
  - (a) Applicability.
- (b) Management policies.
- (c) Senior procurement executive authorities and responsibilities.
- (d) Management information systems.
- (e) Applicability to acquisition workforce.
- (f) Career development.
- (g) Qualification requirements.
- (h) Education and training.
- 434. Modular contracting for information technology.
  - (a) In general.
  - (b) Modular contracting described.
  - (c) Implementation.
- 435. Levels of compensation of certain contractor personnel not allowable as costs under certain contracts.
  - (a) Determination required.
  - (b) Benchmark compensation amount.
  - (c) Definitions.
- 436. Protection of constitutional rights of contractors.
  - (a) Prohibition.
  - (b) Construction.
- 437. Incentives for efficient performance of services contracts.
  - (a) Incentive for use of performance-based services contracts.
  - (b) Regulations.
  - (c) Report.
  - (d) Expiration.

**§§ 401, 402. Repealed. Pub. L. 104–106, div. D, title XLIII, § 4305(a)(2), Feb. 10, 1996, 110 Stat. 665**

Section 401, Pub. L. 93–400, § 2, Aug. 30, 1974, 88 Stat. 796; Pub. L. 96–83, § 2, Oct. 10, 1979, 93 Stat. 648; Pub. L. 98–191, § 3, Dec. 1, 1983, 97 Stat. 1325; Pub. L. 100–679, § 2(a), Nov. 17, 1988, 102 Stat. 4055; Pub. L. 103–355, title I, § 1091(a), Oct. 13, 1994, 108 Stat. 3272, stated policy of United States Government relating to procurement of property and services.

Section 402, Pub. L. 93–400, § 3, Aug. 30, 1974, 88 Stat. 796; Pub. L. 100–679, § 2(b), Nov. 17, 1988, 102 Stat. 4055, stated findings of Congress and purpose of this chapter.

**EFFECTIVE DATE OF REPEAL**

For effective date and applicability of repeal, see section 4401 of Pub. L. 104–106, set out as an Effective Date of 1996 Amendment note under section 251 of this title.

**EFFECTIVE DATE OF 1979 AMENDMENT**

Section 12 of Pub. L. 96–83 provided that: “Except to the extent otherwise provided therein, the amendments made by this Act [see Short Title of 1979 Amendment note below] shall take effect on October 1, 1979.”

**SHORT TITLE OF 2003 AMENDMENT**

Pub. L. 108–136, div. A, title XIV, § 1401, Nov. 24, 2003, 117 Stat. 1663, provided that: “This title [enacting sections 414b, 428a, and 437 of this title, amending sections 403, 414, 433, and 436 of this title, section 2855 of Title 10, Armed Forces, and section 1115 of Title 31, Money and Finance, enacting provisions set out as notes under sections 253, 253a, 405, 428a, and 433 of this title and section 1103 of Title 40, Public Buildings, Property, and Works, amending provisions set out as notes under section 264 of this title, section 2304 of Title 10, and section 501 of Title 31, and repealing provisions set out as a note under section 2302 of Title 10] may be cited as the ‘Services Acquisition Reform Act of 2003’.”

**SHORT TITLE OF 1988 AMENDMENT**

Section 1 of Pub. L. 100–679 provided that: “This Act [enacting sections 421 to 424 of this title, amending this section, sections 402, 403, 405, 410, and 420 of this title, sections 5312 to 5315, 8331, 8401, 8701, and 8901 of Title 5, Government Organization and Employees, and section 541 of former Title 40, Public Buildings, Property, and